



217/782-6761

Refer to: 1618100015 -- Rock Island County  
John Deere Harvester Works, East Moline  
ILD025423054  
Compliance File

COMPLIANCE INQUIRY LETTER

Certified # P 681 203 588

May 31, 1991

John Deere Harvester Works  
Attn: Larry Breitbach  
1100 13th Avenue  
East Moline, Illinois 61244

Dear Mr. Breitbach:

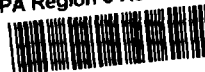
The purpose of this letter is to address the status of the above-referenced facility in relation to the requirements of 35 Ill. Adm. Code Subtitle G and to inquire as to your position with respect to the apparent violations identified in Attachment A and your plans to correct these apparent violations. The Agency's findings of apparent non-compliance listed in Attachment A are based on an inspection completed on April 10, 1991. For your convenience a copy of the inspection report is enclosed with this letter.

Please submit in writing, within fifteen (15) calendar days of the date of this letter, the reasons for the identified violations, a description of the steps which have been taken to correct the violations and a schedule, including dates, by which each violation will be resolved. The written response, and two copies of all documents submitted in reply to this letter, should be sent to the following:

Joe Miller  
Compliance Unit  
Planning and Reporting Section  
Illinois Environmental Protection Agency  
Division of Land Pollution Control  
2200 Churchill Road  
Post Office Box 19276  
Springfield, Illinois 62794-9276

Further, take notice that non-compliance with the requirements of the Illinois Environmental Protection Act and rules and regulations adopted thereunder may be the subject of enforcement action pursuant to either the Illinois Environmental Protection Act, Ill. Rev. Stat., Ch. 111 1/2, Sec. 1001 et seq. or the federal Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Sec. 6901 et seq.

EPA Region 5 Records Ctr.



305350

File



Page 2

If you have any questions regarding the above, please contact Mitch Smith at 309/693-5462.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian S. White".

Brian S. White, Manager  
Compliance Unit  
Planning and Reporting Section  
Division of Land Pollution Control

BSW:MTS:JM:sad/1512q,80-81

cc: Division File ✓  
Peoria Region  
Joe Miller  
Mark Gurnik  
Mitch Smith



Attachment A

1. Pursuant to 35 Ill. Adm. Code 722.134(a), except as provided in subsections (d), (e) or (f), a generator may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status provided that:
  1. The waste is placed in containers and the generator complies with 35 Ill. Adm. Code 725. Subpart I or the waste is placed in tanks and the generator complies with 35 Ill. Adm. Code 725. Subpart J except 35 Ill. Adm. Code 725.297(c) and 725.300. In addition, such a generator is exempt from all the requirements in 35 Ill. Adm. Code 725. Subparts G and H, except for 35 Ill. Adm. Code 725.211 and 725.214;
  2. The date upon which each period of accumulation begins is clearly marked and visible for inspection on each container;
  3. While being accumulated on-site, each container and tank is labeled or marked clearly with the words, "Hazardous Waste", and
  4. The generator complies with the requirements for owners or operators in 35 Ill. Adm. Code 725 Subparts C (Preparedness and Prevention) and D (Contingency Plan and Emergency Procedures) and with 35 Ill. Adm. Code 725.116 (Personnel Training).

You are in apparent violation of 35 Ill. Adm. Code 722.134(a) in that item(s) 4 above was/were not complied with. Specifically, the requirements of item 4 above (listed by regulation) which were not complied with, as well as the deficiencies observed, are:

- a. Pursuant to 35 Ill. Adm. Code 725.116(c), facility personnel must take part in an annual review of the initial training required in paragraph (a) of this Section. You are in apparent violation of this Section in that facility personnel have not received an annual review of the initial training.
- b. Pursuant to 35 Ill. Adm. Code 725.116(d), the owner or operator must maintain the following documents and records at the facility:
  1. The job title for each position at the facility related to hazardous waste management and the name of the employee filling each job;
  2. A written job description for each position listed under paragraph (d)(1) of this Section. This description may be consistent in its degree of specificity with descriptions for other similar positions in the same company location or bargaining unit, but must include the requisite skill, education or other qualifications and duties of facility personnel assigned to each position;
  3. A written description of the type and amount of both introductory and continuing training that will be given to each person filling a position listed under paragraph (d)(1) of this Section;



You are in apparent violation of 35 Ill. Adm. Code 725.115(d) in that item(s) 1, 2 and 3 above were not maintained at the facility.

2. Pursuant to 35 Ill. Adm. Code 722.134(c):

1. A generator may accumulate as much as 55 gallons of hazardous waste or one quart of acutely hazardous waste listed in 35 Ill. Adm. Code 721.133(e) in containers at or near any point of generation where wastes initially accumulate, which is under the control of the operator of the process generating the waste, without a permit or interim status and without complying with paragraph (a) provided the generator:
  - A. Complies with 35 Ill. Adm. Code 725.271, 725.272 and 725.273(a) (Use and Management of Containers); and
  - B. marks the generator's containers either with the words "Hazardous Waste" or with other words that identify the contents of the containers.
2. A generator who accumulates either hazardous waste or acutely hazardous waste listed in 35 Ill. Adm. Code 721.133(e) in excess of the amounts listed in Subsection (c)(1) at or near any point of generation must, with respect to that amount of excess waste, comply within three days with Subsection (a) or other applicable provisions of this chapter. During the three day period the generator must continue to comply with Subsection (c)(1). The generator must mark the container holding the excess accumulation of hazardous waste with the date the excess amount began accumulating.

You are in apparent violation of 35 Ill. Adm. Code 722.134(c) for the following reason(s): Your facility did not label the drum of waste Xylene located in the satellite area "Hazardous Waste".

3. Pursuant to 35 Ill. Adm. Code 728.107(a)(5), generators shall retain on-site a copy of all notices, certifications, demonstrations, waste analysis data and other documentation produced pursuant to this Section for at least five years from the date that the waste that is the subject of such documentation was last sent to on-site or off-site treatment, storage or disposal. The five year record retention period is automatically extended during the course of any unresolved enforcement action regarding the regulated activity or as requested by the Agency.

You are in apparent violation of 35 Ill. Adm. Code 728.107(a)(5) for the following reason(s): Your facility did not retain a copy of all the land disposal restriction notices for the required five year period.